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By Linda A. Limura Date Jan. 28, 2004
Linda A. Limura

AF/2811

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor(s): Robert M.R. Neff

Group Art Unit: 2816

Serial No.: 10/061,504

Examiner: Linh M. Nguyen

Filed: 1 February 2002

Title: *Interleaved Clock Signal Generator Having Delay Chain and Divider Architecture*

Atty Docket: 10020205

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria
VA 22313-1450

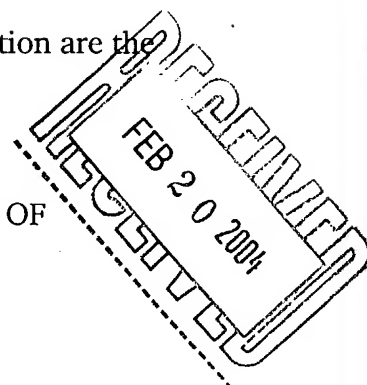
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TECHNOLOGY CENTER 2800

Sir:

Transmitted herewith for the above-referenced patent application are the following documents:

1. PETITION UNDER 37 CFR § 1.181 TO WITHDRAW HOLDING OF ABANDONMENT DUE TO FAILURE TO RECEIVE OFFICE ACTION (MPEP § 711.03(c))

2. Copy of the docket of the undersigned attorney for the period 7 April 2003 - 7 July 2003 (Labelled Appendix A).



3. Declaration of Marcella Wilhite of the Intellectual Property Administration of the Legal Department of Agilent Technologies, Inc.

4. Copy of the corporate mail log maintained by the Intellectual Property Administration of the Legal Department of Agilent Technologies, Inc. for the period 7 April 2003 – 7 July 2003 (Labelled Appendix 1).

5. It is believed that no fee is required for this petition. In the event that a fee is required, please charge the fee to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 under 37 CFR §§ 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal is enclosed

Respectfully submitted,

By: 

Ian Hardcastle
Reg. No. 34,075

Dated: 0423

Agilent Technologies, Inc.
Legal Department, MS DL429
P.O. Box 7599
Loveland, CO 80537-0599

Tel.: (650) 485-3015



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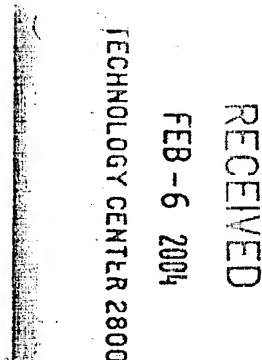
Atty Docket: 10020205

PETITION UNDER 37 CFR § 1.181 TO WITHDRAW HOLDING OF
ABANDONMENT DUE TO FAILURE TO RECEIVE OFFICE ACTION
(MPEP § 711.03(c))

Commissioner for Patents
P.O. Box 1450
Alexandria
VA 22313-1450

Sir:

1. In a telephone conversation on 14 January 2004, Examiner Nguyen advised the undersigned attorney that the status of the above application due to failure to respond to an outstanding Final Office Action mailed on 7 April 2003.
2. On 22 January 2004, Examiner Nguyen kindly faxed a copy of the Final Office Action mailed on 3 April 2003 to the undersigned attorney. The Final Office Action provided a shortened statutory period for reply of three months (i.e., by 7 July 2003).

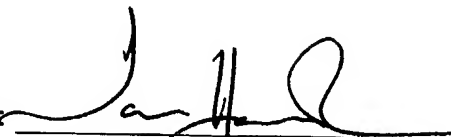


3. I have searched the file jacket and docket records for this application maintained by Agilent Technologies, Inc. ("Agilent"), assignee of the application. This search indicates that the Final Office Action was not received.
4. A copy of my docket for the period 7 April 2003 to 7 July 2003, the expiry date of the three-month shortened statutory period for reply, is enclosed as Appendix A. The docket was prepared by the Intellectual Property Administration of the Agilent Legal Department, which is the office where the nonreceived Final Office Action would have been entered had it been received and docketed. I have searched my docket, and have been unable to find any entry for Serial Number 061,504 or for Attorney Docket No. 10020205, the Serial Number and Attorney Docket Number of the application.
5. The Intellectual Property Administration of the Agilent Legal Department, the office where the nonreceived Final Office Action would have been received had it been received, maintains a corporate mail log of formal papers received from the United States Patent and Trademark Office. Enclosed is the declaration of Marcella Wilhite that describes Agilent's procedure for handling incoming mail from the United States Patent and Trademark Office and recording receipt of such mail in the corporate mail log.
6. A copy of the corporate mail log maintained by the Intellectual Property Administration of the Agilent Legal Department for the period between 7 April 2003 and 7 July 2003 is attached to Ms. Wilhite's declaration as Appendix 1.
7. I have searched the copy of the corporate mail log attached to Ms. Wilhite's declaration as Appendix 1, and have been unable to find any entry for Serial Number 061,504 or for Attorney Docket No. 10020205, the Serial Number and Attorney Docket Number of the application.

8. In view of the above, it is respectfully requested that the holding of abandonment of the above application be withdrawn, and a new Final Office Action be mailed in accordance with MPEP § 711.03(c).

9. It is believed that no fee is required for this petition.

Respectfully submitted,

By: 
Ian Hardcastle
Reg. No. 34,075

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Dated: 040128

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